

PROB 12C  
(7/93)

Report Date: October 31, 2014

**United States District Court**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

NOV - 3 2014

**Eastern District of Washington**

SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Miguel Angel Orozco

Case Number: 0980 2:06CR02109-LRS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: October 3, 2007

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison 78 months;  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: February 4, 2013

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: February 3, 2016

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**PETITIONING THE COURT**

**To issue a summons.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

- |   |  |
|---|--|
| 1 | <b><u>Special Condition # 16:</u></b> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances. |
|---|--|

**Supporting Evidence:** Mr. Orozco tested positive for cocaine on September 15, 2014.

On September 15, 2014, Mr. Orozco submitted to a urinalysis test which returned positive for the presence of cocaine. Mr. Orozco was confronted regarding his illegal drug use to which he initially denied. The defendant decided to be honest and reported he used the substance on one occasion on September 13, 2014. Mr. Orozco signed the admission/denial form admitting to the use of cocaine.

- |   |   |
|---|---|
| 2 | <b><u>Mandatory Condition # 2:</u></b> The defendant shall not commit another Federal, state, or local crime. |
|---|---|

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**Supporting Evidence:** Mr. Orozco was cited for third degree driving while license suspended and operating a motor vehicle without ignition interlock on October 29, 2014.

3 **Special Condition # 17:** You shall abstain from the use of alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Orozco was found under the influence of alcohol on October 29, 2014.

According to the Washington State Patrol narrative report, on October 29, 2014, Mr. Orozco was contacted by the police on a traffic stop. The officer reported upon contacting the defendant, he could smell the odor of intoxicants. Mr. Orozco informed the officer he had not been drinking and he agreed to a sobriety test. Mr. Orozco submitted to a portable Breathalyzer sample resulting in .009.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 31, 2014

s/Jose Zepeda

Jose Zepeda  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other

  
Signature of Judicial Officer

11/3/14  
Date